

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

DEREK ADAM NAASZ

I N D I C T M E N T

VIOLATION(S): 18 U.S.C. § 1344(2) - Bank Fraud; 18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft; 18 U.S.C. § 1708 - Possession of Stolen U.S. Mail (2 Counts); 18 U.S.C. § 1029(a)(3) - Credit Card Fraud; 18 U.S.C. §§ 471 - Counterfeiting Obligations of the United States

A true bill,

/s/

Foreman.

Filed in open court this 27th day

of October, A.D. 20 05

C. Foster

Clerk.

Bench Warrant

Bail, \$ TBD

[Signature]

1 MCGREGOR W. SCOTT
United States Attorney
2 MICHELLE RODRIGUEZ
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2751

FILED

OCT 27 2005

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY ~~CLERK~~ DEPUTY CLERK

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 **2:05 - CR - 0460 GEB**

11 UNITED STATES OF AMERICA,	)	CR. NO.
)	
12 Plaintiff,	)	VIOLATIONS: 18 U.S.C. § 1344(2) -
	)	Bank Fraud; 18 U.S.C. §
13 v.	)	1028A(a)(1) - Aggravated
	)	Identity Theft; 18 U.S.C. §
14 DEREK ADAM NAASZ,	)	1708 - Possession of Stolen U.S.
	)	Mail (two counts); 18 U.S.C. §
15 Defendant.	)	1029(a)(3) - Credit Card Fraud;
	)	18 U.S.C. §§ 471 - Counterfeiting
	)	Obligations of the United States

17
18 I N D I C T M E N T

19 COUNT ONE: [18 U.S.C. § 1344(2) - Bank Fraud]

20 The Grand Jury charges: T H A T

21 DEREK ADAM NAASZ,

22 defendant herein, on or about October 10, 2005, in the County of San
23 Joaquin, State and Eastern District of California, executed, and
24 attempted to execute, a scheme and artifice to defraud a federally
25 insured financial institution, namely Golden One Credit Union, by
26 attempting to negotiate a stolen check, to wit, number 1236
27 belonging to Isabel R. and drawn on victim Golden One Credit Union.
28

1 In executing and attempting to execute the scheme and artifice,
2 defendant DEREK ADAM NAASZ filled out and forged the stolen check
3 and used means of identification of another to attempt to negotiate
4 the check, in violation of Title 18, United States Code, Sections
5 1344(2) and 2.

6
7 COUNT TWO: [18 U.S.C. § 1028A(a)(1) - Aggravated
8 Identity Theft]

9 The Grand Jury further charges: T H A T

10 DEREK ADAM NAASZ,
11 defendant herein, on or about October 10, 2005, in the County of San
12 Joaquin, State and Eastern District of California, did knowingly
13 possess and use, without lawful authority, a means of identification
14 of another person, that is, a California driver's license in the
15 name of victim Rob P., during and in relation to a felony violation
16 of Federal law pursuant to Chapter 63 of Title 18, United States
17 Code, to wit, bank fraud and attempted bank fraud in violation of 18
18 U.S.C. § 1344(2), as alleged in Count One, in violation of Title 18,
19 United States Code, Section 1028A(a)(1).

20
21 COUNT THREE: [18 U.S.C. §, 1708 - Possession of
22 Stolen U.S. Mail]

23 The Grand Jury further charges: T H A T

24 DEREK ADAM NAASZ,
25 defendant herein, on or about October 10, 2005, in the County of San
26 Joaquin, State and Eastern District of California, did knowingly
27 possess U.S. mail, to wit: personal mail of Isabel R., including
28 check numbers 1236 through and including 1249 drawn on Golden One

1 Credit Union, which had been stolen, taken, and abstracted from an
2 authorized U.S. mail depository and repository in Stockton,
3 California, knowing the same to have been stolen, taken, and
4 abstracted, in violation of Title 18, United States Code, Sections
5 1708 and 2.

6
7 COUNT FOUR: [18 U.S.C. §, 1708 - Possession of
8 Stolen U.S. Mail]

9 The Grand Jury further charges: T H A T

10 DEREK ADAM NAASZ,
11 defendant herein, on or about October 11, 2005, in the County of San
12 Joaquin, State and Eastern District of California, did knowingly
13 possess U.S. mail, to wit: personal mail of Kenneth B., Darlene C.,
14 Jennifer F., Virginia G., and Eduardo I., which had been stolen,
15 taken, and abstracted from an authorized U.S. mail depository and
16 repository in Stockton, California, knowing the same to have been
17 stolen, taken, and abstracted, all in violation of Title 18, United
18 States Code, Sections 1708 and 2.

19
20 COUNT FIVE: [18 U.S.C. § 1029(a)(3) - Credit Card Fraud]

21 The Grand Jury further charges: T H A T

22 DEREK ADAM NAASZ,
23 defendant herein, on or about October 11, 2005, in the County of San
24 Joaquin, State and Eastern District of California, did knowingly and
25 with intent to defraud, possess at least fifteen counterfeit and
26 unauthorized access devices, such conduct having an effect on
27 interstate commerce, in violation of Title 18, United States Code,
28 Sections 1029(a)(3) and 2.

COUNT SIX: [18 U.S.C. §§ 471 - Counterfeiting Obligations
of the United States]

The Grand Jury further charges: T H A T

DEREK ADAM NAASZ,
defendant herein, on or about October 11, 2005, in the County of San
Joaquin, State and Eastern District of California, with intent to
defraud, did counterfeit, forge, and falsely make obligations of the
United States, that is, Federal Reserve Notes, as follows:


Number of Notes	Denomination	Series	Serial Number
Two	\$ 20.00	2004	EE31956943B
Four	\$ 10.00	2001	CG60810627B

in violation of Title 18, United States Code, Section 471.

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPERSON


McGREGOR W. SCOTT
United States Attorney

PENALTY SLIP
DEREK ADAM NAASZ

2:05 - CR - 0460 GEB

VIOLATION:	18 U.S.C. § 1344(2) - Bank Fraud
PENALTY:	Not more than \$1,000,000 fine, and No more than 30 years imprisonment or both Not more than 5 years of supervised release
VIOLATION:	18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft
PENALTY:	2 years mandatory minimum and consecutive to any Sentence imposed for conviction on Count One (18 U.S.C. § 1344(2) - Bank Fraud)
VIOLATION:	18 U.S.C. § 1708 - Possession of Stolen U.S. Mail (2Counts)
PENALTY:	Not more than \$250,000 fine, and No more than 5 years imprisonment or both Not more than 3 years of supervised release
VIOLATION:	18 U.S.C. § 1029(a)(3) - Credit Card Fraud
PENALTY:	Not more than \$250,000 fine, and No more than 10 years imprisonment or both Not more than 3 years of supervised release
VIOLATION:	18 U.S.C. § § 471 - Counterfeiting Obligations of the United States
PENALTY:	Not more than \$250,000 fine, and No more than 20 years imprisonment or both Not more than 3 years of supervised release
PENALTY	
ASSESSMENT:	\$100.00 special assessment <u>per count</u>